



Room 301, Hall of Records
2281 Tulare Street
Fresno, California 93721-2198
Telephone: (559) 488-3529
Toll Free: 1-800-742-1011

Board of Supervisors Agenda

Chairman

Bob Waterston

5th District

Vice Chairman

Juan Arambula

3rd District

Vacant

1st District

Bart Bohn

County Admin. Officer

Susan B. Anderson

2nd District

Phillip S. Cronin

County Counsel

Judith G. Case

4th District

Bernice E. Seidel

Clerk

TUESDAY

OCTOBER 1, 2002

9:00 A.M.

PLEDGE OF ALLEGIANCE

Supervisor Waterston

1. Present plaques to Lawrence Peters and Courtney Moore, Planning Commission members for service as Chairman for 2000/2001
2. Proclaim October 21, through 31, 2002 as Red Ribbon Week

Supervisor Arambula

3. Proclaim October 12 through 19, 2002 as Binational Health Week

Supervisor Case

4. Adopt resolution recognizing Eagle Scout David Stout with Scout Troop No. 392

Administrative Office

5. Adopt resolution recognizing reading and discussing John Steinbeck's Novel the Grapes of Wrath during the month of October 2002
6. Proclaim October 7 through 12, 2002 as 4-H Week
7. Recognize Fresno County 4-H All Stars
8. **Morning Consent Agenda – Item Numbers 28-60**
 - (These matters are routine in nature, appear on colored pages, and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
 - Items to be removed from Consent for Discussion
 - Approval of Morning Consent Agenda
 - Discussion/Action on Items removed from Consent Agenda

The Tuesday Board of Supervisors meeting is broadcast live on
Radio KFCF•FM 88.1 9:00 A.M. until Noon and 2:00 P.M. until 6:00 P.M.

Equal Employment Opportunity • Affirmative Action • Disabled Employer
Internet: www.fresno.ca.gov/0110/agenda.html

Administrative Office

9. Receive report on development of business parks, and approve and authorize the Chairman to execute agreement with the Economic Development Corporation Serving Fresno County in the amount of \$125,208 to promote and market the resources and economy of Fresno County
10. Adopt resolution and authorize Chairman to execute resolution on Futures Planning Objectives relating to Fresno Metropolitan Flood Control District; and request Fresno Metropolitan Flood Control District pursue acquisition and development of Ponding Basin to serve County Industrial Area including Beef Packers
11. Approve and authorize Chairman to execute Interim Tax-Sharing agreement with the City of Fresno for Copper-Millbrook Annexation No. 2 project
12. Adopt Resolution of Intention to amend the Zoning Ordinance to provide standards for beginning bed and breakfast operations as a permitted use, not requiring a discretionary permit consistent with State law, for the purpose of promoting business development and tourism throughout the County
13. Consider and direct staff on funding for the American Red Cross – Disaster Rental Assistance for Victims of Fire and Food Opportunities, Organization and Distribution, Inc. – Community Food Bank (**Continued from September 17, 2002**)
14. Review the recommendations of the 2001-02 Grand Jury in its final report and adopt the recommended responses; order the Board's response to be filed with the Presiding Judge of the Superior Court and the Clerk to the Board of Supervisors; and direct the County Administrative Officer to forward the comprehensive "Responses to the 2001-02 Grand Jury Report" of the Presiding Judge of the Superior Court upon completion
15. Approve the transfer of the General Services Department functions of General Services Administration, Building Maintenance, Central Services, Fleet, Security, and Purchasing Services to a Division of the County Administrative Office and conduct the first hearing to amend the Fresno County Ordinance Code, approve Salary Resolution Amendments (Appendix D) and Budget Transfer No. 16 (\$19,419,025.88) necessary to implement the transfer of these functions; delete the Department of General Services; and set second hearing to amend the Ordinance Code for October 15, 2002.
16. Establish Purchasing Agent authority to donate surplus personal property to charitable organizations
17. **Board of Supervisors' Committee Reports** – Receive and provide direction (This item reserved for committee reports by members of the Board of Supervisors)
18. **Board Appointments:** (List attached in packet and posted on bulletin board outside of Board Chambers)

19. **Closed Session –**

- a. Pending Litigation Section 54956.9(a) – Lynden Brack v. County of Fresno, et al.
- b. Conference with Labor Negotiator (GC 54957.6): Agency Negotiator: Ralph Jimenez; Employee Organization: Bargaining Unit 1 – Hours, Wages, and Terms and Conditions of Employment
- c. Pending Litigation – Section 54956.9(a)) – WCAB Case No. FRE205769; Nelson Fowlkes v County of Fresno, et al
- d. Conference with Legal Counsel – Existing Litigation (GC 54956.9(a)) City of Fresno v. County of Fresno; Fresno Local Agency Formation Commission; City of Clovis; and Does 1 through 50, inclusive Fresno County Superior Court Case No. 01 CE CG 03337

NOON RECESS

2:00 P.M.**20. Afternoon Consent Agenda – Item Numbers 61-69**

- (These matters are routine in nature, appear on colored pages, and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Morning Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

Administrative Office

21. Receive oral report by Department of Public Works and Planning staff regarding options for meeting State 50% solid waste diversion requirement in preparation for meetings with California Integrated Waste Management Board and provide direction
22. Conduct public information meeting to consider levying an assessment for maintenance of North Chamise and East Falcon Meadow Lanes benefiting 25 lots created by Tract Map No. 4962 and for formation of Zone “BH” of County Service Area No. 35, located west of Madsen Avenue, ¾ of a mile north of Herndon Avenue
23. Appeal by Veronica Gonzales, Applicant, of the Planning Commission’s technical denial of Variance Application No. 3731 proposing to allow creation of two, 2.01-acre parcels and a 12.42-acre parcel (20 acres required) from a 16.43-acre parcel of land in AE-20 District located at northwest corner of intersection of E. American and S. Greenwood Avenues, approximately one mile southwest of City of Sanger (12476 E. American Avenue)
24. Appeal of John Allen, Applicant, of the Planning Commission’s technical denial of Variance Application No. 3693 proposing to allow creation of two, 2-acre parcels from a four-acre parcel in AE-20 District located on east side of Auberry Road, approximately 1½ miles north of intersection of Auberry Road and Copper Avenue and approximately 2½ miles northeast of City of Fresno (12380 Auberry Road)
25. Consider application for partial cancellation of Agricultural Land Conservation Contract No. 1151 and make determination based on findings required by Land Conservation Act of 1965 (Williamson Act)(**Continued from September 10, 2002**)

3:00 P.M.

26. Approve credit of \$10 million of State Transportation Congestion Relief Program funds allocated for construction of Friant Road from Millbrook/Copper Avenues to North Fork Road in calculating prorata share of costs attributable to development projects that have environmental mitigation measures due to traffic impacts created by development project requiring improvement of Friant Road from Millbrook/Copper Avenues to North Fork Road, and adopt resolution establishing a Public Facilities Fee for development of Tract 4321 to mitigate transportation and circulation impacts
27. **Public Presentations** – (This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda – Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic)

ADJOURNED

NEXT MEETINGS:

October 15, 2002 – 9:00 A.M. Board Meeting

October 29, 2002 – 9:00 A.M. Board Meeting

MORNING CONSENT AGENDA – Item Numbers 28-60

(Any Board Member may pull any consent item for discussion or separate vote)

Auditor-Controller/Treasurer-Tax Collector

28. Approve and authorize the Chairman to execute an agreement with Russell Hayne dba Harmony Research for parties of interest searches on tax-defaulted properties (\$43,700)

County Clerk/Registrar of Voters

29. Adopt resolution approving election consolidation requests filed for the November 5, 2002, general election

Administrative Office

30. **Salary Resolution Amendments:** (Copy of amendments attached in Supervisors Agenda Packet, on file with the Clerk to the Board, and posted on the bulletin board outside the Board Chambers)
31. Adopt Addenda to Memorandum of Understanding for Representation Units 2, 3, 4, 10, 11, 12, 13, 22, 25, 31, 35, 36, 37, 39, 42, and 43, Adopt County Health Premium for Management and Unrepresented Employees and Authorize Director of Personnel Services to Enter into Agreements with Remaining Employee Organizations Regarding County Health Premium Contributions
32. Adopt resolution to renew exemption for American Ambulance Rescue Team units from State equipment requirements that require vehicles carry spare tires and tire tools
33. Authorize the Chief Probation Officer to submit a grant application/agreement to the Victim Witness Branch of the Office of Criminal Justice Planning (\$133,333), and authorize the Chairman to execute the application/agreement and Certification of Assurance of Compliance including any extensions or amendments; authorize the Chief Probation Officer to execute Memorandums of Understanding with the Fresno Police Department, the Marjoree Mason Center, and Rape Counseling Services of Fresno to provide services to the VOISE grant program
34. Approve reimbursement for moving expenses for a child psychiatrist beginning employment in October 2002 in accordance with Management Directive No. 500 (\$8,944.07)

35. Conduct the second hearing to amend Chapter 2.09.030 and 2.09.040 of the Fresno County Ordinance Code relating to the general and specific duties of the Information Technology Services Department and conduct the second hearing to amend Chapter 2.52, Department of Public Works and Planning; Chapter 13.12, Trees and Shrubs; Chapter 13.16, Parks and Recreation Areas; Chapter 13.20, Courthouse Park; Chapter 13.36, Speed Limits on Waters; and Chapter 13.60, Use of the Waters of the Kings River of the Fresno County Ordinance Code. The amendments to Chapter 2.52 will reflect the new responsibilities of the Director of Public Works and Planning for Real Property and Parks and Grounds. The changes to Chapters 13.12, 13.16, 13.20, 13.36, and 13.60 will replace all references to the Director of General Services with the Director of Public Works and Planning
36. Approve technical revisions to the following Board of Supervisors Administrative Policies: No. 4 - Solicitation of Charitable Contributions through Payroll Deduction, No. 7 - Travel Authorization, No. 12 - Candidate Evaluation Panel Expense - Reimbursement, No. 14 - Fiscal Audits, No. 16 - Cash Shortages, No. 17 - County Automotive Transportation, No. 18 - Compensation for Lost or Damaged Personal Property, No. 20 - Fees, Charges, and Cost Recovery, No. 27 - Grant Applications, No. 30 - Donations, No. 31 - Affirmative Action, No. 35 - Conflict of Interest - Board Appointees, No. 36 - Use of Development Fees, No. 38 - Personal Phone Calls - Traveling Employees, No. 39 - Corporate Credit Cards, No. 40 - Candidate Travel Expenses, and No. 41 - Travel Advances
37. Adopt resolution recognizing the 75th Anniversary of the California Children's Services Program
38. Approve the remittance of \$52,850 plus interest through June 30, 2002 in Excess Health Insurance Incentive Funds for 1999-00 to the State Department of Child Support Services as required per Family Code Section 17714

Agreements – Approve and Authorize Chairman to Execute:

39. Revenue agreement with Health Net, Inc. of California for coordination and compensation of public health services (\$31,000)
40. Sole source agreement with Devereux Texas Treatment Network for specialized, residential mental health treatment services (\$70,816)
41. Amendment to the Water Hyacinth Survey and Treatment Program Memorandum of Understanding with Madera County
42. Retroactive revenue agreement with the State Emergency Medical Services Authority to continue multi-county EMS coordination in Fresno, Kings, and Madera counties (\$307,468), and approval of State Contractor Certification Clauses
43. Agreement with Fresno Unified School District for promoting Safe and Stable Families Program Services at Neighborhood Resource Centers (\$182,369)

44. Agreements with Comprehensive Youth Services (\$48,837) and Fresno Families in Transition, Inc. (\$48,837) for court-ordered supervised visitation services
45. Amendment to lease agreement with McMahan-Kays LLC., at 311 Coalinga Plaza, Coalinga, for additional structural work on elevator and other miscellaneous items (\$15,000)
46. Retroactive two-year agreement with Sanger Unified School District to claim reimbursement for Medi-Cal Administrative Activities (\$1,000,000)
47. Sole source agreement with Resource Development Associates, Inc. for consultant and grant writing services (\$26,000)
48. Amendment to agreement with Valley Behavioral Health Network to reimburse Cedar Vista Hospital for physician services (\$100,000)
49. Agreement with California Mental Health Specialty Services, Inc., dba Central Valley Specialty Mental Health Services, for mental health Organizational Provider Services (\$1,400,000); authorize the Director of Human Services System, designee, or Director of Mental Health, to terminate on behalf of the County, the Board-approved Organizational Provider Services Agreement when, in the Director's judgment, termination is justified under the conditions specified in the contract; and approve the Organizational Provider Services Fee Schedule to allow the Fresno County mental Health Plan to pay for services to Medi-Cal beneficiaries and authorize the Director of Human Services System, or designee, to adjust the fee schedule as the Medi-Cal Standard Maximum Allowances rates change
50. Agreement with Affiliated Computer Services State and Local Solutions, Inc., to provide vendor payment services for CalWORKS recipients (\$763,020)
51. Agreement with Fresno County Economic Opportunities Commission, Inc. for the provision of alcohol and drug prevention services (\$94,271)
52. Agreements with Spirit of Woman for alcohol and drug treatment services for pregnant and postpartum women (\$424,950) and WestCare California, Inc. for alcohol and drug treatment services for adolescents (\$71,000)
53. Agreement with Randi A. Galli, M.D., Inc., for laser tattoo removal services for CalWORKs Employment Services participants and CalWORKs assisted juveniles (\$49,500)
54. Agreement with HealthComp Administrators for administrative and consultant services to the County's Flexible Spending Plan and Mass Transit and Parking Plan
55. Lease agreement with William and Ann Warnick for the lease of office space located at 2314 Mariposa Mall (\$402,709.94); and agreement with Wells Fargo Bank for a Non-Disturbance and Attornment

56. Master Provider agreement for Beds and Services for Severely Mentally III Adults (\$6,289,426); authorize Director of Department of Adult Services to add additional qualified providers to the board-approved Master Provider Agreement and to terminate when services are not required; authorize the Director of the Department of Adult Services, or designee, to adjust the Enhanced Services and Master Provider Agreement organizational fee schedule should the Medi-Cal Schedule of Maximum Allowances and the State Department of Health rates change
57. Agreement with Angelica Textile Services, Inc., for laundry services provided to adult and children mental health programs (\$53,560)
58. Agreement with Mental Health Systems, Inc., for mental health Organizational Provider Services (\$600,000); authorize the Director of Human Services System, designee, or Director of Mental Health, to terminate on behalf of the County, the Board-approved Organizational Provider Services agreement when, in the Director's judgement, termination is justified under the conditions specified in the contract; and approve the Organizational Provider Services Fee Schedule to allow the Fresno County Mental Health Plan to pay for services to Medi-Cal beneficiaries and authorize the Director of Human Services System, or designee, to adjust the fee schedule as the Medi-Cal Standard Maximum Allowances rates change
59. Agreement with Moss Beach Homes, Inc., dba Aspira Foster and Family Services, for mental Health Therapeutic Behavioral Services (\$600,000); authorize the Director of Human Services System, designee, or Director of Mental Health, to terminate on behalf of the County, the Board-approved Therapeutic Behavioral Services Provider agreement when, in the Director's judgement, termination is justified under the conditions specified in the contract; and approve the Therapeutic Behavioral Services Provider Fee Schedule to allow the Fresno County Mental Health Plan to pay for services to Medi-Cal beneficiaries and authorize the Director of Human Services System, or designee, to adjust the fee schedule as the Medi-Cal Standard Maximum Allowances rates change
60. Agreement with DNAssociates for Mental Health Therapeutic Behavioral Services (\$800,000); authorize the Director of Human Services System, designee, or Director of Mental Health, to terminate on behalf of the County, the Board-approved Therapeutic Behavioral Services Provider agreement when, in the Director's judgement, termination is justified under the conditions specified in the contract; and approve the Therapeutic Behavioral Services Provider Fee Schedule to allow the Fresno County Mental Health Plan to pay for services to Medi-Cal beneficiaries and authorize the Director of Human Services System, or designee, to adjust the fee schedule as the Medi-Cal Standard Maximum Allowances rates change

AFTERNOON CONSENT AGENDA – Item Numbers 61-69

(Any Board Member may pull any consent item for discussion or separate vote)

Administrative Office

61. Conduct second hearing of proposed ordinance to amend Master Schedule of Fees, Charges and Recovered Costs by amending Section 2800 – Solid Waste, Subsection 2805, Southeast Regional Disposal Site (4/5 vote)
62. Execute Transportation Funding Claim for FY 2002-03 and adopt resolution requesting Council of Fresno County Governments to allocate specified funds from Local Transportation Fund and State Transit Assistance Fund to County of Fresno
63. Accept easement deeds and approve right of way contracts for right of way acquisition for Academy Avenue, State Highway 180 to Shaw Avenue (\$17,860)
64. Accept easement deed and approve right of way contract with Barr Packing Company, a Partnership for right of way acquisition for Academy Avenue, State Highway 180 to Shaw Avenue (\$50,535)
65. Release maintenance security posted (\$42,750) to guarantee maintenance of improvements for Tract No. 4426
66. Adopt budget resolution increasing 2002-03 appropriations and estimated revenues for Department of Public Works and Planning – Grants Budget, Org 55121700, (\$92,197) (4/5 vote)

Agreements – Approve and Authorize Chairman to Execute:

67. Amendment to agreement 01-779, for Civil Engineering Consultant Services, to Biggs Cardosa Associates, Inc., for various Road and Capital Improvement Projects
68. Agreement with Malaga County Water District to reimburse County for costs of design and construction of Malaga County Water District's water and sewer relocations associated with construction of Central Avenue at Golden State Boulevard and Union Pacific Railroad intersection improvements and construction of Chestnut Avenue Grade Separation at Golden State Boulevard and Union Pacific Railroad
69. Amendment to agreement with Shaver Lake Civic League to design and develop boat-launching facilities; and adopt budget resolution increasing 2002-03 appropriations by \$50,000 in CSA No. 31, Org 9171, Professional Services & Supplies Account 7295 from General Reserves (4/5 vote)

END OF CONSENT